

In the
Legislature



of the State
of Washington

DIGEST SUPPLEMENT

To Legislative Digest and History of Bills
Supplement No. 50*

FIFTY-SEVENTH LEGISLATURE

Wednesday, March 28, 2001

80th Day - 2001 Regular

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Senate Bills

SB 5170-S2 by Senate Committee on Ways & Means
(originally sponsored by Senators
Jacobsen, Finkbeiner, Eide and Kohl-Welles)

Encouraging telework.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that telework has been found to reduce commute trips and provide flexibility for work-related travel. Additionally, telework enables employers to allow employees to work outside urban areas, which reduces commute trips while strengthening rural economies. Telework is a key component in a comprehensive transportation demand management package.

Requires the commute trip reduction task force to include a telework enhancement committee.

Directs the task force to develop procedures and criteria for allocation of funds for the telework enhancement projects and telework activities on a statewide basis to address the highest priorities for enhancing telework.

Requires the commute trip reduction task force to determine the effectiveness of this subcommittee as part of its ongoing evaluation of the commute trip reduction law and report to the legislature. The report must be incorporated into the recommendations required in RCW 70.94.537(5).

Creates the telework enhancement account in the state treasury. Such funds as the legislature directs or appropriates to the account will be deposited to the account. Moneys in the account may only be spent after appropriation. Expenditures from the account may be used only for telework enhancement projects.

Takes effect October 1, 2001.

-- 2001 REGULAR SESSION --

Mar 27 WM - Majority; 2nd substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5299 by Senator Jacobsen

Allowing nonconsumptive wildlife activities on public lands.

(AS OF SENATE 2ND READING 3/08/01)

Authorizes nonconsumptive wildlife activities on public lands.

Declares that such lands shall not be open and available for wildlife activities when access could endanger crops on the land or when access could endanger the person accessing the land.

-- 2001 REGULAR SESSION --

Jan 18 First reading, referred to Natural Resources, Parks & Shorelines.
Feb 6 NPS - Majority; do pass.
Feb 7 Passed to Rules Committee for second reading.
Feb 20 Made eligible to be placed on second reading.
Mar 6 Placed on second reading by Rules Committee.
Mar 8 Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 49; nays, 0; absent, 0.

- IN THE HOUSE -

Mar 9 First reading, referred to Natural Resources.

SB 5336-S by Senate Committee on Higher Education (originally sponsored by Senators Kohl-Welles, Horn, Shin, McAuliffe, B. Sheldon, Constantine and Kline)

Creating the public interest attorney loan repayment program.

(AS OF SENATE 2ND READING 3/14/01)

Declares an intent to provide affordable access to legal education and meet the legal needs of the state of Washington in public interest areas of the law.

Finds that the high cost of attending law school requires that attorneys command high incomes to repay the financial obligations incurred in obtaining the required training. As a result of the need for high incomes, few attorneys are able to practice in public interest areas of the law, which traditionally pay substantially less than other areas.

Finds that encouraging outstanding law students and attorneys to practice in public interest areas of the law is essential to assuring access to legal services in areas of public interest.

Establishes the public interest attorney loan repayment program for licensed attorneys who practice or agree to practice in public interest areas of the law in the state of Washington. No state funds shall be used by the board in administering the program.

-- 2001 REGULAR SESSION --

Feb 9 HIE - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.
Mar 8 WM - Majority; do pass 1st substitute bill proposed by Higher Education.
Minority; do not pass.
Passed to Rules Committee for second reading.
Mar 12 Made eligible to be placed on second reading.

Mar 13 Placed on second reading by Rules Committee.

Mar 14 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 31; nays, 17; absent, 1.

- IN THE HOUSE -

Mar 15 First reading, referred to Higher Education.

SB 5364-S by Senate Committee on Transportation
(originally sponsored by Senators Horn,
Haugen and Benton)

Modifying drivers' license and identicard provisions.

(AS OF SENATE 2ND READING 3/09/01)

Provides that any contract entered into between the department and a private vendor in which the vendor provides services involving drivers' licenses or identicards must contain the following language: "Drivers' licenses and identicards must not contain: (1) Driver social security numbers in either visible or machine readable form; or (2) driver fingerprints or thumbprints."

Provides that the governor, through the department of social and health services, shall seek a waiver to the federal mandate to record social security numbers on applications for professional, driver's, occupational, and recreational licenses, and, if such a waiver is obtained, then RCW 26.23.150, as amended, shall be null and void.

-- 2001 REGULAR SESSION --

Feb 21 TRAN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 5 Made eligible to be placed on second reading.

Mar 6 Placed on second reading by Rules Committee.

Mar 9 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 49; nays, 0; absent, 0.

- IN THE HOUSE -

Mar 14 First reading, referred to Transportation.

SB 5570 by Senators Prentice, Honeyford, Franklin and Kohl-Welles

Protecting credit union directors and committee members.

(AS OF SENATE 2ND READING 3/13/01)

Provides that, except for persons who are employees of the credit union and acting within the scope of their employment, directors and committee members at a credit union or federal credit union have no personal liability for harm caused by acts or omissions performed on behalf of the credit union if: The director or committee member was acting within the scope or his or her duties at the time of the act or omission; the harm was not caused by an act in violation of RCW 31.12.267; the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed; and the harm was not caused by the director or committee member's operation of a motor vehicle, vessel, aircraft, or other vehicle for which the state requires the operator or the owner of the vehicle, craft, or vessel to either possess an operator's license or maintain insurance.

Does not affect a director's or committee member's liability to the credit union or to a governmental entity for harm to the credit union or governmental entity caused by the director or committee member.

Does not affect the vicarious liability of the credit union with respect to harm caused to any person, including harm caused by the negligence of a director or committee member.

Does not affect the liability of employees of the credit union for acts or omissions done within the scope of their employment.

-- 2001 REGULAR SESSION --

Jan 26 First reading, referred to Labor, Commerce & Financial Institutions.

Feb 13 LCF - Majority; do pass.

Feb 14 Passed to Rules Committee for second reading.

Mar 10 Made eligible to be placed on second reading.

Mar 12 Placed on second reading by Rules Committee.

Mar 13 Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 48; nays, 0; absent, 1.

- IN THE HOUSE -

Mar 15 First reading, referred to Financial Institutions & Insurance.

Mar 27 FII - Executive action taken by committee.

SB 5598-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Shin, Roach, Horn, Swecker, Kohl-Welles, Thibaudeau, Franklin, Rasmussen, B. Sheldon, Eide, Costa, McAuliffe, Prentice and Jacobsen)

Certifying athletic trainers. (REVISED FOR ENGROSSED: Registering athletic trainers.)

(AS OF SENATE 2ND READING 3/12/01)

Finds that registration of athletic trainers is in the interest of the public health, safety, and welfare.

-- 2001 REGULAR SESSION --

Mar 5 HEA - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

Mar 6 Made eligible to be placed on second reading.

Mar 8 Placed on second reading by Rules Committee.

Mar 12 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 41; nays, 8; absent, 0.

- IN THE HOUSE -

Mar 15 First reading, referred to Health Care.

SB 5606-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles and Long; by request of Department of Social and Health Services)

Regarding background checks.

(AS OF SENATE 2ND READING 3/12/01)

Revises provisions relating to making the background check requirements for department of social and health services' employees consistent with background check requirements for service providers, agencies, and entities serving vulnerable adults and children.

Provides that the state school for the deaf and the state school for the blind shall require a record check through the Washington state patrol criminal identification system under RCW 43.43.830 through 43.43.834, 10.97.030, and 10.97.050 and through the federal bureau of investigation before hiring an employee who will have regularly scheduled unsupervised access to children.

Authorizes the state school for the deaf and the state school for the blind to adopt rules to implement this act.

Requires the board to amend any existing rules established under RCW 41.06.475 and adopt rules developed in cooperation and agreement with the department of social and health services to implement the provisions of this act.

-- 2001 REGULAR SESSION --

Feb 23 HSC - Majority; 1st substitute bill be substituted, do pass.

Feb 26 Passed to Rules Committee for second reading.

Mar 9 Placed on second reading by Rules Committee.

Mar 12 1st substitute bill substituted.
Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 48; nays, 0; absent, 1.

- IN THE HOUSE -

Mar 15 First reading, referred to Children & Family Services.

SB 5674-S by Senate Committee on Environment, Energy & Water (originally sponsored by Senators Constantine, Jacobsen, Prentice, Fraser and Kohl-Welles)

Establishing the Washington climate center.

(AS OF SENATE 2ND READING 3/13/01)

Authorizes the establishment of an independent, nonprofit organization known as the Washington climate center to serve as a central clearinghouse for all climate change activities in the state.

Provides that the center shall be funded through grants and voluntary cash and in-kind contributions.

Requires the following agencies and programs to work with the center to assist with the duties under this act: The department of community, trade, and economic development, the department of ecology, the department of transportation, the department of health, the department of fish and wildlife, the department of agriculture, the department of natural resources, and the Washington State University energy program.

Authorizes the board to establish task forces and technical advisory committees composed of state and local agencies, businesses, labor groups, timber industry groups, agricultural groups, nonprofit organizations, university and college programs, and interested groups and citizens as necessary to assist in the duties in this section.

Provides that all emitters of greenhouse gases are encouraged to seek mitigation of their emissions.

Provides that, upon a request, accompanied with adequate funding, the center may: (1) Assist any emitter in selecting mitigation projects;

(2) Determine and certify the amount of mitigation accomplished by any mitigation project; and

(3) Determine what monitoring and verification standards would be useful in the evaluation of mitigation projects.

-- 2001 REGULAR SESSION --

Feb 26 EEW - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.

Mar 5 Made eligible to be placed on second reading.

Mar 8 Placed on second reading by Rules Committee.

Mar 13 1st substitute bill substituted.
Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 29; nays, 20; absent, 0.

- IN THE HOUSE -

Mar 15 First reading, referred to Agriculture & Ecology.

SB 5703-S by Senate Committee on Labor, Commerce & Financial Institutions (originally sponsored by Senators Hargrove and Winsley)

Describing what is not an alteration of a mobile home. (REVISED FOR ENGROSSED: Directing a study to be conducted of mobile/manufactured home alteration and repair permit problems.)

(AS OF SENATE 2ND READING 3/13/01)

Requires the labor, commerce, and financial institutions committee of the senate to conduct a study of the problems of owners of mobile/manufactured homes in connection with obtaining the necessary permits for repair, remodel, maintenance, and alteration of their homes. The committee shall enlist the assistance of mobile/manufactured homeowners, mobile/manufactured home mortgage lenders, the department of labor and industries, and other state or local government agencies as needed.

Requires the study to address the following issues:

(1) The fact that many mobile/manufactured homeowners have performed alternations or repairs to their homes without obtaining the required permits with the result that potential buyers may be unable to obtain mortgage financing from the usual sources;

(2) The costs associated with obtaining required permits, particularly on those occasions when an engineering analysis is required;

(3) The possibility of reducing the number and type of repairs and alterations that require a permit, consistent with public health and safety considerations;

(4) The appropriateness of the current legal sanction for not obtaining a permit when required, which is that the home may not be sold;

(5) Any methods, procedures, or changes in the law that can assist mobile/manufactured homeowners in the proper and economical maintenance and improvement of their homes, and the protection of their equity.

Requires the committee to complete the study and develop any recommended legislation prior to the beginning of the 2002 legislative session.

-- 2001 REGULAR SESSION --

Mar 5 LCF - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 8 Made eligible to be placed on second reading.

Mar 10 Placed on second reading by Rules Committee.

Mar 13 1st substitute bill substituted.

Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 48; nays, 1; absent, 0.

- IN THE HOUSE -

Mar 15 First reading, referred to Commerce & Labor.

SB 5835 by Senators Finkbeiner, Thibaudeau, Winsley, McAuliffe, Costa, Honeyford, McCaslin, Kohl-Welles, Prentice, Kline, Benton and Oke

Removing the expiration date on emergency administration of epinephrine. (REVISED FOR ENGROSSED: Regarding administration of epinephrine.)

(AS OF SENATE 2ND READING 3/10/01)

Amends RCW 18.73.250 to delete the expiration date on emergency administration of epinephrine.

Authorizes public school districts to provide for the administration of epinephrine to students who suffer an anaphylaxis allergic reaction when the students are in the custody of the school district, pursuant to chapter 18.79 RCW, if the epinephrine is provided in compliance with:

(1) Rules adopted under section 4 of this act by the state nursing care quality assurance commission, and the instructions of a registered nurse or advanced registered nurse practitioner issued under the rules; and

(2) Written policies of the school district that are adopted to implement this section and are developed in accordance with chapters 41.56 and 41.59 RCW.

Declares that if a school employee provides for the administration of epinephrine to a student under chapter 18.79 RCW and chapter 28A.210 RCW in substantial compliance with: (1) Rules adopted by the state nursing care quality assurance commission and the instructions of a registered nurse or advanced registered nurse practitioner issued under such rules, and (2) written policies of the school district, then the employee, the employee's school district and school of employment shall not be liable in any criminal action or for civil damages in their individual, marital, governmental, corporate, or other capacity as a result of providing epinephrine.

Declares that, to be eligible to administer epinephrine, an employee not licensed under chapter 18.79 RCW, shall file, without coercion by the employer, a voluntary written, current, and unexpired letter of intent stating the employee's willingness to administer epinephrine in compliance with established guidelines.

Provides that, if a public school employee who is not licensed under chapter 18.79 RCW chooses not to file a letter under this section, the employee shall not be subject to any employer reprisal or disciplinary action for refusing to file a letter.

-- 2001 REGULAR SESSION --

Feb 5 First reading, referred to Health & Long-Term Care.

Feb 19 HEA - Majority; do pass.

Passed to Rules Committee for second reading.
 Feb 20 Made eligible to be placed on second reading.
 Mar 8 Placed on second reading by Rules Committee.
 Mar 10 Floor amendment(s) adopted.
 Rules suspended. Placed on Third Reading.
 Third reading, passed: yeas, 48; nays, 0; absent, 1.

- IN THE HOUSE -

Mar 15 First reading, referred to Health Care.

SB 5947-S2 by Senate Committee on Ways & Means
 (originally sponsored by Senators Rasmussen, Morton, Gardner and Honeyford)

Providing tax relief to dairy farmers and anaerobic digesters.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Declares an intent to provide tax exemptions and credits to assist dairy farmers to comply with the dairy nutrient management act, chapter 90.64 RCW, and to assist public or private entities to establish and operate anaerobic digesters to treat dairy nutrients on a regional or on-farm basis.

-- 2001 REGULAR SESSION --

Mar 27 WM - Majority; 2nd substitute bill be substituted, do pass.
 Minority; do not pass.
 Passed to Rules Committee for second reading.

SB 6008-S by Senate Committee on Ways & Means
 (originally sponsored by Senators Eide, Finkbeiner, Haugen, Kline, Winsley and McAuliffe; by request of Office of Financial Management)

Providing commute trip reduction incentives.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides commute trip reduction incentives.

Requires the commute trip reduction task force to determine the effectiveness of the tax credit under this act as part of its ongoing evaluation of the commute trip reduction law and report to the legislative transportation committee and to the fiscal committees of the house of representatives and the senate. The report shall include information on the amount of tax credits claimed to date and recommendations on future funding for the tax credit program. The report shall be incorporated into the recommendations required in RCW 70.94.537(5).

Declares that this act takes effect January 1, 2002, if specific funding necessary to fulfill the purposes of this act is provided to the multimodal transportation account by

December 31, 2001. If funding is not provided, this act is void in its entirety.

Repeals RCW 82.04.4453, 82.04.4454, 82.04.4455, 82.16.048, and 82.16.049.

-- 2001 REGULAR SESSION --

Mar 27 WM - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.

SB 6034-S by Senate Committee on Ways & Means
 (originally sponsored by Senators Fraser and Finkbeiner)

Revising state wireless enhanced 911 excise taxes.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that statewide enhanced 911 has proven to be a lifesaving service and that routing a 911 call to the appropriate public safety answering point with a display of the caller's identification and location should be available for all users of telecommunications services, regardless of the technology used to make and transmit the 911 call.

Finds that it is in the best public interest to ensure that there is adequate ongoing funding to support enhanced 911 service.

Provides that the state enhanced 911 coordinator, with the advice and assistance of the enhanced 911 advisory committee, shall set nondiscriminatory, uniform technical and operational standards consistent with the rules of the federal communications commission for the transmission of 911 calls from radio communications service companies to enhanced 911 emergency communications systems. These standards must not exceed the requirements set by the federal communications commission.

Repeals RCW 38.52.560.

-- 2001 REGULAR SESSION --

Mar 27 WM - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.

SB 6151 by Senators Long and Hargrove

Revising provisions relating to high-risk sex offenders.

Declares an intent to ensure the prompt siting and timely operation of a secure community transition facility on McNeil Island in furtherance of the treatment, management of these offenders in the community, and other purposes of chapter 71.09 RCW.

Finds that there are some sex offenders who might become eligible for civil commitment but who are more appropriately managed through the criminal justice system, both because they may be inappropriate for civil commitment and because the legislature has a fiscal responsibility to the people of Washington to manage community safety in the most cost-effective manner to meet the needs of the public and the offenders.

Declares an intent, therefore to address the sentencing and supervision of offenders who commit certain sex offenses.

Authorizes the secretary to site and operate a secure community transition facility for sexually violent predators on court-ordered conditional release from the special commitment center as provided under RCW 71.09.090, on McNeil Island.

Declares that, notwithstanding RCW 36.70A.103 or any other law, until December 31, 2003, to the extent siting a secure community transition facility on McNeil Island is inconsistent with local comprehensive plans and/or development regulations, this statute preempts and supersedes those local plans and regulations.

Declares that nothing in this act limits the state's authority to site an essential public facility under RCW 36.70A.200 in conformance with local comprehensive plans and development regulations.

Repeals RCW 9.95.0011.

-- 2001 REGULAR SESSION --

Mar 27 First reading, referred to Human Services
 & Corrections.